

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - December 10, 1969

Appeal No. 10263 Raymond-David Construction Co., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of December 16, 1969.

EFFECTIVE DATE OF ORDER - Feb. 6, 1970

ORDERED:

That the appeal for variance from the requirements of Section 7202.1 to permit waiver of off-street parking for 2 single family dwellings at 4604 Jay Street, NE., lots 72 and 73, Square 5151, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-2 District.
2. The property is presently vacant. A visual examination of the site indicates that two structures previously existed thereon.
3. Appellant proposes to construct two single-family dwellings and requests waiver of two off-street parking spaces.
4. It is alleged that an unusual grade condition from 7.5 to 8 feet exists on the property whereon a retaining wall has been required.
5. The property is not serviced by an alley in the rear.
6. Appellant further states that it is not possible to level the land area supported by the retaining wall in that an existing dwelling and an apartment house immediately adjoin the property on either side at the same elevation.

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OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

A handwritten signature in cursive script, reading "Charles E. Morgan", written over a horizontal line.

CHARLES E. MORGAN
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.